

Remarks

The Examiner argues that Berry discloses, inter alia, a housing having two semi-spherical side wall sections 4, 6 integrally formed with a support which supports the journal. The side wall sections, however, are not part of the pistons, but of the housing, contrary to claim 1 of the present application.

The invention resides in the design of the pistons themselves, which each has a support section and a side wall section, wherein the support section and the side wall section are constructed integrally with one another and are arranged on the same side of the respective piston. Thus, the support section and the side wall section are integrated parts of the pistons themselves and are not part of the housing.

The side wall sections 4-6 in Berry form part of the housing, as the Examiner himself admits, but do not form part of the pistons A, B, A', B', as it can be best seen in Figs. 6, 7, 8, 10, 11, 12 and 15 in Berry. Also, the prior art admitted by the applicant does not teach or suggest such a construction of the pistons.

On page 2, last lines to column 3, line 12, Berry describes the rotary piston machine comprises a piston cage within the housing, which is fixed to the drive shaft 3, wherein the piston cage has spherical outer portions 6 rotatable in proximity to the spherical interior of the casing and being recessed at 5 to receive piston means, the piston means including two pairs of piston members A, B and A', B' pivotally mounted in the cage. As the pistons are pivotally mounted in the cage, the outer portions 6 which form side wall sections, are not integrally formed with the pistons themselves.

In Berry, when the pistons A and B pivot about the pivot axis 7, as shown in Fig. 6-11, the pistons A and B relatively move with respect to the side walls 4 and 6. Thus, the pistons in Berry do not have side wall sections which are integrally formed with the bearing sections of the pistons, by which the pistons are borne on the pivot axis.

In view of the foregoing, Applicant submits all rejections to the pending claims should be withdrawn.

Respectfully submitted,

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